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REMARKS

The Applicant thanks the Examiner for indicating that claims 15-28 are allowed.

The above amended paragraphs 014 and 020 of the specification overcome some informalities noted in the specification on file. The undersigned avers that the amended paragraphs 014 and 020 of the specification do not contain any new subject matter.

Claims 29 and 30 are rejected, under 35 U.S.C. § 102(b), as being anticipated by Baer '180 (U.S. Patent No. 4,946,180). The Applicant acknowledges and respectfully traverses the raised anticipatory rejection in view of the following remarks.

Baer '180 relates to an apparatus which converts between a child car seat, a stroller, a bed and a high chair. The apparatus 10 includes a seat 30 with a base portion 31 and a seat back 51, which pivots with respect to the base portion 31 to switch between a chair as seen for example in Fig. 4 and a bed as seen in Fig. 5. The seat 30 is mounted on an undercarriage assembly 11, which generally includes a U-shaped frame 12 with side portion 13. The frame 12 is rigidly connected to the bottom of the base 31 adjacent its peripheral edge. Retractable wheel units 21 are attached to the frame by support tube legs 23, which pivot with respect to the frame 12 such that the tube legs 23 can be pivoted between an extended position, as viewed in Figs. 3 and 4, and a folded position as viewed in Figs. 1 and 5. In the folded position the tube legs 23 are folded into containing wells in the base portion 31 of the seat 30. In the extended position the tube legs 23 extend from the base portion 31 of the seat 30 and are locked in this position by lock hinges 18 (col. 6, ln. 64 - col. 7, ln. 31).

Although the apparatus 10 may be considered as having a "unitary construction" as alleged by the Examiner in the official action, the apparatus 10 is a unit of a number of individual, separate parts that are connected together. These parts of the apparatus 10 include the seat 30, the frame 12, the tube legs 23 and the wheels 21. It should be pointed out that these parts are movable with respect to one another. The back 51 moves with respect to the base 31, the tube legs 23 moves with respect to base 31 and frame 12 and the wheels 21 move with respect to the tube legs 23.

In direct contrast to the teachings of Baer '180, claim 29 recites that the elongate member is one piece and comprises a seat, a backrest, a front leg support. Additionally

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the back rest is claimed to be fixed with respect to the seat. The Applicant asserts that these features clearly distinguish the claims from the teachings of Baer '180.

In order to emphasize the above noted distinctions between the presently claimed invention and the applied art, the independent claim 29 of this application now recite the features of "the elongate member being of a one-piece construction comprising a seat of the highchair, a back-rest extending from the seat, and a front leg-support for supporting the elongate member at the front of the highchair, the back rest being fixed with respect the seat". Such features are believed to clearly and patentably distinguish the presently claimed invention from all of the art of record, including the applied art. As claim 30 depends directly on amended independent claim 29, which is believed to be allowable, this dependent claim is also believed to be allowable as well.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejection should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejection or applicability of the Baer '180 reference, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejection should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

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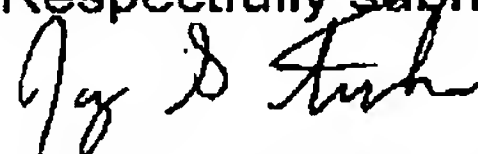
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The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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